

Title I, Part D, Subpart 2—For Local Educational Agencies Program Guidelines

Purpose

The purpose of this federal funding is to support the operation of local educational agency (LEA) programs that involve collaboration with locally operated correctional facilities —

1. To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
2. To provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment; and
3. To operate programs in local schools for children and youth returning from correctional facilities, and programs which may serve at-risk children and youth.

Definitions

For the purposes of this program, the following definitions apply:

Applicant LEA: the school district that files the application for Title I Part D funding, in collaboration with the facility LEA and service provider, if applicable, as noted under these guidelines.

Facility LEA: the school district where the juvenile detention facility is physically located. May also be the applicant LEA.

Service provider LEA: a school district which has been authorized by the facility LEA under a formal agreement to provide services at the juvenile detention facility. May also be the applicant LEA.

Locally-run correctional facility: the county-run juvenile detention facility.

Effective Date

This guidance is effective January 1, 2009. Formal agreements must be filed with the NJ Title I N&D Coordinator by applicant LEAs no later than May 1 each year for programs beginning September 1. An updated copy of the agreement must be filed annually.

Eligibility

Federal Title I Part D legislation limits eligibility for these funds to LEA's with high numbers or percentages of youths in locally-run correctional facilities. For the purposes of this program, NJDOE defines locally-run correctional facilities as county-run juvenile or youth detention centers (JDCs).

The facility LEA or the service provider LEA duly authorized by the facility LEA through a formal agreement, is eligible to apply for these funds, which must be used to support educational programs in cooperation with the JDC. A copy of the formal agreement must be on file with the NJ Title I N&D Coordinator before the application is submitted.

Program Requirements

The applicant LEA must:

- A. Maintain a formal agreement with the locally-run correctional facility, to include the facility LEA (see *Definitions*, above), the LEA providing educational services (if other than the facility LEA), and the juvenile detention center. A template is attached.
- B. Maintain administrative oversight of the Title I program in the juvenile detention center.
- C. Implement a district dropout prevention program for students returning to the district from the JDC and other eligible students as appropriate. *Note:* However, under the federal Special Rule for this program, an LEA is not required to operate a program of support for youth returning from the correctional facility if more than 30 percent of the youth attending the educational program at the correctional facility will reside outside the boundaries served by the local educational agency after leaving such facility.
- D. Evaluate the program, disaggregating data on participation by gender, race, ethnicity, and age, not less than once every three years, to determine the program's impact on the ability of participants —
 - 1. to maintain and improve educational achievement;
 - 2. to accrue school credits that meet State requirements for grade promotion and secondary school graduation;
 - 3. to make the transition to a regular program or other education program operated by a local educational agency;
 - 4. to complete secondary school (or equivalency requirements) and obtain employment after leaving the correctional facility and
 - 5. as appropriate, to participate in postsecondary education and job training programs.

A three-year program evaluation will be a required component of the NCLB application for funds for state fiscal year 2012.

Administrative Costs and In-District Programs

1. The applicant LEA may retain a maximum of 5% for administrative costs. A formal agreement with the JDC and service provider, if any, duly filed with the NJ Title I N&D Coordinator, is a prerequisite for eligibility to apply for and retain administrative funds.
2. If more than 70% of students in the JDC are returning to the facility LEA, the facility LEA must implement a dropout prevention program or other service program for at-risk youth in the affected schools (see Program Requirements and Allowable Uses of Funds sections). Applicant LEAs that run such programs may retain a maximum of 20% of the allocation for in-district programmatic and administrative costs.

Allowable Uses of Funds

Funds provided to local educational agencies under this subpart may be used, as appropriate, for:

1. Special programs to meet the unique academic needs of participating children and youth in the correctional facility including vocational and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education;
2. Programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment and help them remain in school in order to complete their education;
3. Dropout prevention programs which serve at-risk children and youth, including pregnant and parenting teens, children and youth who have come in contact with the juvenile justice system, children and youth at least one year behind their expected grade level, migrant youth, immigrant youth, students with limited English proficiency, and gang members;
4. The coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education; and
5. Programs providing mentoring and peer mediation.

All proposed program activities and components must be fully described in the NCLB application and approved by NJDOE.

See the appendix for requirements for participating JDC's/correctional facilities.

Formal Agreements

All participants in the program are required to sign the formal agreement: the LEA applying for funds, the service provider, if any; and the locally-run juvenile detention center. Program components included in the formal agreement comprise the basis for and should be reflected in the N&D program plan subsequently filed on EWEG by the applicant agency.

The applicant LEA must implement and submit a formal agreement among the participants noted above each year with the NJDOE Title I ND Coordinator, **no later than May 1** for the following program year beginning September 1.

Required Components:

1. *Facility LEA* name, address, contact information (telephone and email)
2. *Service provider* name, address, contact information including telephone and email (if different from applicant LEA)
3. *Juvenile Detention Center (JDC)* name, address, contact information (telephone and email)
4. *Titles of staff* who will be funded under the award (e.g., teacher, teaching assistant), including number of hours per week, number of weeks/months per year.
5. *Services to be provided*—activities to be funded in cooperation with the facility. How the services will supplement and not supplant regularly funded educational activities. Program description should coincide with the applicant LEA's Title I, Part D program plan in their NCLB application.
6. *Characteristics of students to be served*—how students will be chosen to receive services, percentage of total number to be served, targeted learning difficulties, substance abuse problems, other special needs, if any.
7. *Amount (if known) and percentage* of funding that will be subgranted to the JDC. Include what percentage of the total award the JDC will receive.
8. *Authorized signatures* of facility LEA, service provider LEA (if other than facility LEA), and the JDC supervisor of education.

A sample agreement form is attached.

Oversight and Monitoring

Monitoring of this program by NJDOE program office or County Office of Education staff may take the following forms:

- *Desk monitoring* of fiscal and programmatic documentation of selected LEA's annually. May include telephone interview(s).
- *On-site monitoring*: An in-depth review of documentation and materials that provide specific information on the LEA/subgrantee's programmatic and fiscal programs, services, and activities as documented in the approved *NCLB* application. District staff are interviewed and/or observed to verify that programs, services, and activities are in compliance with the approved *NCLB* application, as well as other federal and state policies, regulations, and procedures. Documentation may include, but is not limited to, demographic data, needs assessments, program plans, classroom rosters, professional development plans, school improvement status, school attendance records, time and activity reports signed by supervisor, bills, invoices and purchase orders, notification letters, meeting agendas, and sign-in sheets. On-site monitoring may be targeted to one or more specific program titles.

References

NCLB Legislation: <http://www.ed.gov/programs/titleipartd/legislation.html>

Federal Non-Regulatory N&D Guidance: <http://www.ed.gov/policy/elsec/guid/nord.doc>

NJDOE NCLB Reference Manual:

<http://www.state.nj.us/education/grants/entitlement/nclb/archive/nclbrefman07.pdf>

Contact: Monica M. Johnson, Title I N&D Coordinator, (609) 777-2166

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SAMPLE FORMAL AGREEMENT

Title I, Part D—LEAs

1. Facility LEA

LEA Name:

LEA Address:

Contact person:

Contact information (phone and email):

2. Service provider LEA (if other than facility LEA)

LEA Name:

LEA Address:

Contact person:

Contact information (phone and email)

3. Correctional Facility/Juvenile Detention Center

Facility Name:

Facility Address:

Contact person:

Contact information (phone and email):

Titles of staff that will be funded under the award, including location, number of hours per week, number of weeks/months per year:

Title I Part D Services to be provided at the JDC and, if applicable, in-district (specify):

Description of students to be served:

Amount (if known) and percentage of total award the juvenile detention center will receive:

\$ _____

Percent of total: _____

Authorized signatures

Facility LEA--Superintendent
Name (print)

Signature

Date

Service Provider LEA—
Superintendent Name (print)

Signature

Date

Juvenile Detention/Correctional
Center Supervisor of Educational
Services Name (print)

Signature

Date

*Note: The applicant LEA must file an updated formal agreement with the NJDOE
Title I N&D Coordinator no later than May 1 each year, prior to application for funds.*

PROGRAM REQUIREMENTS FOR CORRECTIONAL FACILITIES/YOUTH DETENTION CENTERS

Excerpt: Title I, Part D; 20 U.S.C. 6421-6472.

Each correctional facility entering into an agreement with a local educational agency under Title I, Part D, Subpart 2, section 1423(2) to provide services to children and youth under this subpart shall:

- (1) where feasible, ensure that educational programs in the correctional facility are coordinated with the student's home school, particularly with respect to a student with an individualized education program under part B of the Individuals with Disabilities Education Act;
- (2) if the child or youth is identified as in need of special education services while in the correctional facility, notify the local school of the child or youth of such need;
- (3) where feasible, provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;
- (4) provide support programs that encourage children and youth who have dropped out of school to reenter school once their term at the correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a secondary school diploma or its recognized equivalent;
- (5) work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities taking into consideration the unique needs of such children and youth;
- (6) ensure that educational programs in the correctional facility are related to assisting students to meet high academic achievement standards;
- (7) to the extent possible, use technology to assist in coordinating educational programs between the correctional facility and the community school;
- (8) where feasible, involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of such children in delinquent activities;
- (9) coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under Title I of Public Law 105-220, and vocational and technical education funds;

(10) coordinate programs operated under this subpart with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable; and

(11) if appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth.